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Democracy Dies in Darkness

Opinion

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India's settler-colonial project in Kashmir takes a disturbing turn

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Monday marked a devastating turning point in India's long-standing occupation of Kashmir.

Home Minister Amit Shah on Monday informed the Parliament of a presidential order revoking Article 370, which gave the state of Jammu and Kashmir special status within the Indian Constitution. The article was instituted by India's early leadership to give a certain degree of autonomy to its only Muslim-majority state — one it had incorporated without the consent of its people, who would have preferred independence or accession to Pakistan.

As a number of Indian historians and legal experts have noted, the presidential order is essentially unconstitutional. Article 370 is the only legal link between India and the disputed state; for it to be revoked, it has to be approved concurrently by the Jammu and Kashmir constituent assembly, which was dissolved in 1956.

But dramatic shift in policy came amid a brutal crackdown in a territory that already holds the title of being one of the most militarized in the world. India has deployed an additional 35,000 troops, ordered tourists, pilgrims and journalists to leave, and implemented a curfew. It also arrested not only Kashmir's pro-freedom leaders, but also leaders of the varying client regimes it has installed in the recent past. For days, people were gripped with fear and uncertainty as they tried to determine their fate. Even as the announcement was made, Kashmiris were kept in the dark because of a total communications clampdown, with Internet and mobile services blocked.

Is this how the world's largest democracy operates?

This move highlights the ways in which India is quickly descending to an authoritarian state, only interested in its expansion and securing power — and one that will flout international law and its own constitution to achieve these ends.

Today's announcement comes as the fulfillment of the Indian state's established imperial designs in Kashmir, and especially the long-held view by right-wing Hindu nationalist parties in India since the time of partition to remove Kashmir's special status and fully annex it. What this moment illuminates, however, is the stark reality of the colonial occupation in Kashmir.

For the past seven decades, India has used every possible excuse to suppress Kashmiri political aspirations. The Indian National Congress, knowing that it had a very unstable position in Kashmir, used the carrot of autonomy to rein in pro-freedom aspirations. For years it was able to hide behind a discourse of democratic elections (mostly rigged), development or Pakistani interference. After 9/11, there were the declarations that the freedom movement in Kashmir was part of the war on terrorism, which India was confronting domestically alongside its allies. Today, with a right-wing Hindu nationalist government in power, one emboldened by a recent electoral victory, the farce is off the table.

If India has already eroded Kashmir's autonomy over time, why is this particular move important? There is another provision in the Indian Constitution, [Article 35A, which gives the local Kashmiri state the right to define who is a "permanent resident"](#) of the state. Permanent residents are able to own property or buy land. This was a condition that the pro-accession local leadership insisted upon to protect Kashmir's Muslim-majority status, and was the last thing Kashmiris were holding onto to preserve some semblance of their nationhood.

But this has changed. Indians can now buy property and land in Kashmir, and drive out the local population.

Thus, what is at stake in this unconstitutional move is the beginnings of a settler colonial project in Kashmir, one similar to Israel's in the Palestinian territories. To be sure, the land was already populated by the Indian army — over half a million strong — who had taken over huge swaths of land with their cantonments, camps and bunkers. But now the ruling party can set in motion its long-term plan to populate the region with enough Hindu settlements to make the current Muslim majority's political aspirations for freedom obsolete.

The intent here is to change the demographics of Kashmir from a Muslim-majority state to one that has a Hindu majority. This process could entail ethnic cleansing.

Over the next few weeks, the situation in Kashmir will be incredibly tense. Kashmiris will not be reigned in easily, and they will protest. The cycle of violence will continue, as these protesters will be met with Indian bullets.

This is a lesson that India has not been able to realize over time. Just as British rule in India was not able to last in the face of the thirst for freedom, so too will the violence inherent in this colonial occupation meet resistance. For Kashmiris who have shown resilience and steadfastness in the face of a 70-year colonial project and brutal occupation, the aspirations for freedom will be even stronger.

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